

REMARKS

Claims 1-49 are pending in this application. Claims 1, 17, 18, and 34 are independent claims. Claims 2-16, 19-33, and 35-49 are dependent claims. Claims 1-49 have been rejected. Amendments to claims 1-49 are presented herein. No new matter is being presented, and approval and entry are respectfully requested.

Rejections Under 35 U.S.C. § 102

In numbered paragraph 3 on pages 2-5 of the Office Action, the Examiner rejected claims 1-49 under 35 U.S.C. § 102(e) as being anticipated by Huxter (U.S. Patent Application No. US 2002/0107820 A1). Applicants respectfully traverse these rejections for the reasons presented below.

Claims 1, 18, and 34

Claim 1 recites, as amended, "receiving and registering schedule information, regarding one of a plurality of forms of receiving a package addressed to a member, from the member, **the schedule information comprising at least one of the forms of receiving the package addressed to the member for each of a plurality of days within a predetermined period**" (emphasis added).

The present invention allows a receiver of a package to input a schedule for delivery of the package, and the package is delivered in accordance with the receiver's schedule. This provides better efficiency of delivery for the package distributor by avoiding situations such as the distributor attempting to deliver a package to the receiver's home when the receiver is not at home.

The Huxter reference relates to the delivery of goods ordered from an online retailer to an automated collection point (ACP). An ACP is a bank of electronically-operated lockers. See Huxter at abstract and page 1, paragraph [0014]. In Huxter, a customer selects an ACP site for delivery of goods. After the goods have arrived at the designated ACP, the customer receives a message informing the customer that the goods have arrived. The customer is then "free to

retrieve his goods at his own convenience." See Huxter at page 10, paragraph [0184] and page 11, paragraphs [0197] and [0200].

The Examiner asserted on page 2 of the Office Action that page 5, paragraph [0106] of Huxter discloses the "receiving and registering" feature of claim 1. Paragraph [0106] of Huxter mentions a SCHEDULE DELIVERY [200]. Figures 9 and 9a of Huxter describe the SCHEDULE DELIVERY 200, in which the customer selects the ACP site for delivery of goods. However, the flowcharts in Figures 9 and 9a do not mention that the customer registers a delivery date and time. In fact, because a customer in Huxter can collect a package delivered to an ACP "at his own convenience," there is no need to register schedule information as recited in claim 1 and illustrated in the embodiment of the present invention shown in Figure 5.

Claim 1 also recites "if a shipment request is received from a sender of a package, determining a delivery form **with reference to at least the schedule information of the receiver** registered in said receiving and registering if the receiver is a member; and if the delivery form determined in said determining involves a movement of the package, generating delivery request information for a distributor in accordance with the delivery form" (emphasis added). Independent claims 18 and 34 recite similar language.

The Examiner asserted on pages 2 and 3 of the Office Action that the "determining a delivery form" and the "generating delivery request information" features of claim 1 are disclosed in paragraph [0116] of Huxter. Paragraph 116 of Huxter mentions the DELIVER 300 and PARTNER SETTLEMENT 600 processes. However, the flowcharts of DELIVER GOODS 300 and PARTNER SETTLEMENT 600 in Figures 10, 10a, 10b, 13, and 14 do not disclose referring to schedule information provided by a customer to determine form of delivery, and generating delivery request information for a distributor based on the delivery form, as recited in claim 1.

Therefore, it is submitted that independent claims 1, 18, and 34 patentably distinguish over the prior art. Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejections of claims 1, 18, and 34 under § 102.

Claim 17

Claim 17 recites, as amended, "receiving a result notice of delivery scheduling, comprising information that the package is undeliverable, from the central server that

determined the delivery scheduling based on at least **schedule information, which has been registered for the receiver and comprises a time range that is unavailable for receiving packages**, before starting to deliver the package" (emphasis added). For example, the embodiment of the present invention shown in Figure 5 indicates that the receiver is not available for a package to be delivered at any time on Tuesday, October 2.

The Examiner asserted on pages 4 and 5 of the Office Action that paragraphs [0255] and [0256] of Huxter disclose the features of claim 17. Paragraphs [0255] and [0256] of Huxter disclose alternative collection points. However, the cited portion of Huxter does not disclose delivery schedule information for a customer that includes times when the customer is not available to receive a package.

Thus, it is submitted that claim 17 patentably distinguishes over the present invention. Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection of claim 17 under § 102.

The Dependent Claims

The dependent claims depend respectively from the above-discussed independent claims 1, 18, and 34 and are patentable over the prior art for at least the reasons discussed above. The dependent claims also recite additional features not taught or suggested by the prior art.

For example, claim 6 recites, as amended, "giving a predetermined point to the receiver if the delivery form determined in said determining indicates that delivery to a home of the receiver of the package and the receiving status data included in the delivery completion notice indicate that receiving has been performed by following a delivery schedule specified in the delivery form." The Examiner asserted on page 3 of the Office Action that page 16, paragraph [0255] of Huxter discloses the features of claim 6. However, paragraph [0255] refers to collection "points," which are delivery locations of goods. In the present invention, a "point" (i.e., a benefit) is provided to the receiver as an incentive for the receiver to register his or her schedule information before a package is delivered to provide more efficient distribution for the distributor of the package. Thus, it is submitted that claim 6 patentably distinguishes over the prior art.

As another example, claim 9 recites, as amended, "sending the sender a notice comprising information regarding a deliverable date if the delivery form is determined as undeliverable in said determining." The Examiner asserted on page 3 of the Office Action that it is inherent that the e-tailer would be notified if a package is undeliverable. However, as discussed above, Huxter does not determine a delivery form. Also, Huxter does not provide the sender with a deliverable date (i.e., a date when the package can be delivered to the receiver) when the receiver's schedule information indicates that the receiver is not available for delivery. This provides more efficient distribution for the distributor.

Therefore, for at least these reasons and the reasons set forth above with respect to the independent claims, it is submitted that dependent claims 2-16, 19-33, and 35-49 patentably distinguish over the prior art.

Conclusion

In accordance with the foregoing, it is respectfully submitted that all outstanding rejections have been overcome and/or rendered moot, and further, that all pending claims patentably distinguish over the prior art. Thus, there being no further outstanding rejections, the application is submitted to be in condition for allowance, which action is earnestly solicited.

If there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

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Finally, if there are any additional fees associated with filing of this response, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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